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By ECF

January 19, 2021

Honorable Alison J. Nathan  
U.S. District Courthouse  
Southern District of New York  
40 Foley Street, Courtroom 906  
New York, New York 10007-1312

**Re: Teddy Volkswagen of the Bronx, LLC v. Phillip Demersky**  
**Case No.: 1:19-cv-2337 (AJN) (SN)**

Dear Judge Nathan:

As you are aware our office represents the Defendant in connection with the above action.

Our apologies to both the Court and counsel for not responding sooner as we believed we had consented to a joint letter.

The parties had conferred relative to mediation and referral to a Magistrate. While Defendant was amenable to both, Plaintiff was unwilling to consent. Defendant remains willing to conduct this bench trial by video.

Defendant does recognize Plaintiffs' counsel's courtesy in our attempt to file a joint letter. We apologize that our consent was not communicated clearly.

Please contact our offices if there is any additional information or documentation that may be helpful to the Court's review. Thank you for your time, attention and consideration of this matter.

Sincerely,

*Joseph J. Ranni*

Joseph J. Ranni

cc: Emanuel Kataev, Esq. (via ECF)